IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE DR JUSTICE G.YETHIRAJULU
WRIT PETITION NO : 16836 of 2004

Between:
Syed Shasawar Ali, Flat No. 403, Sanali Castle,
Rajbhavan Road, Somajiguda, Hyderabad.

..... PETITIONER

AND

1 The District Education Officer, Hyderabad.
2 Regional Joint Director, School Education, Hyderabad.
3 Chairman, Central India Union of VII Day Adventists,
Opp: Stanley, Chappal Road, Gunfoundry, Hyderabad.
4 The Principal, VII Day Adventists, High School,
53, Sebastian Road, Secunderabad-3.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the respondents herein in not releasing the amounts which are due to the petitioner, for which he is legally entitled to and not releasing the salary on par with those similarly situated like him, who have 33 years of experience and working in Government and Government aided schools, as highly illegal, arbitrary and violative of principles of natural justice and with a consequential direction to forthwith release all the amounts due to him for which he is legally entitled to.

Counsel for the Petitioner:MR.V.RAJAGOPAL REDDY

Counsel for the Respondents NO.1 & 2: GP FOR EDUCATION

The Court at the admission stage made the following :

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ORDER:

The petitioner contends that he is working in the 4th respondent school since 1972 as Hindi and Telugu Pandit. The 4th respondent School was recognized by the Government and it is also an aided School. He passed M.A.B.Ed., and he is having 33 years of experience. He is being paid less than Rs.5,000/- per month. The other teachers in the Government Aided School are receiving more than Rs.5,000/- per month. He shall be paid at least Rs.5,000/- per month on par with similarly placed persons. He is also entitled for reimbursement of medical bills. The 4th Respondent is acting in high handed manner and is fixing his pay at a low scale, detrimental to his interest. He made several representations to the concerned authorities to do justice to him. A legal notice was issued to respondents No. 2 and 3 on 26-7-2004, but in vain. The petitioner, therefore, approached this Court to declare that the action of the respondents in not releasing amounts due to the petitioner as illegal and arbitrary.

The petitioner did not give any particulars as to the post in which he was appointed, the actual salary he was receiving and the revisions if any made from time to time, as to how he is entitled to the post of an aided teacher etc. In the absence of those particulars no relief could be granted to the petitioner by invoking extra ordinary jurisdiction under Article 226 of the Constitution of India.

The Writ Petition, therefore, cannot be maintained. Hence, it is dismissed. No order as to costs.

Dr. G.Yethirajulu,J.

20th September, 2004.
KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To
1 The District Education Officer, Hyderabad.
2 Regional Joint Director, School Education, Hyderabad.
3 Chairman, Central India Union of VII Day Adventists,
Opp: Stanley, Chappal Road, Gunfoundry, Hyderabad.
4 The Principal, VII Day Adventists, High School,
53, Sebastian Road, Secunderabad-3.
5. 2CCs to G.P. for Education, High Court Buildings, Hyderabad (OUT)
2.2CD copies

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

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20th September,2004